

BLD-366

August 28, 2014

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 14-3639

99-1985

IN RE: LARRY L. BELL, Petitioner

Present: AMBRO, CHAGARES and VANASKIE, Circuit Judges

FILED

Submitted is petitioner's application under 28 U.S.C. § 2244 to file a second or successive petition under 28 U.S.C. § 2254 in the above-captioned case.

SEP 18 2014

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Respectfully,

Clerk

MMW/CJG/mlr

ORDER

Petitioner's application pursuant to 28 U.S.C. § 2244 to file a second or successive petition for writ of habeas corpus under 28 U.S.C. § 2254 is denied. Petitioner has not established that his proposed habeas petition seeks to raise a new claim that relies on either: (1) a new rule of constitutional law that the United States Supreme Court has made retroactive to cases on collateral review, § 2244(b)(2)(A); or (2) newly discovered evidence that (i) "could not have been discovered previously through the exercise of due diligence," and (ii) "if proven and viewed in light of the evidence as a whole, would be sufficient to establish by clear and convincing evidence that, but for constitutional error, no reasonable factfinder would have found [him] guilty of the underlying offense[s]." § 2244(b)(2)(B).

By the Court,

s/ Michael A. Chagares
Circuit Judge



Dated: September 18, 2014
cc: Larry L. Bell
DA Philadelphia

Marcia M. Waldron
Marcia M. Waldron, Clerk